

Information submitted via Request for Assistance website to U. S. Department of
Labor

Date Completed: 8/2/2023 12:59 PM EST

Applicant Information

Confirmation #: 202330-11890

Name: Stewart Herman B

Street Address: 1 Kings Court

City: Morristown State: New Jersey Zip Code: 07960

Phone: (201) 572 1779

Alt. Phone: ()

Email: stewartherman1118@gmail.com

Type: Participant/Beneficiary (such as Employee/Dependent)

Comments:

Plan Types

1. Health Plan (such as medical, dental, vision, etc.)
2. Other Welfare Plan (such as long term/short term disability, severance, life insurance, etc.)
3. Retirement/Pension (such as 401(k) plan, defined benefit plan, profit sharing plan, etc.)

Requested Assistance With

1. Getting documents or statements from your plan
2. Plan is not complying with legal requirements (such as ERISA, COBRA, HIPAA, the Affordable Care Act)

Plan Contact Information

Type: Employer

Name: Katten Muchin Rosenman LLP

Contact Name: Noah Heller

Street Address: 50 Rockefeller Plaza

City: New York State: New York Zip Code: 10020

Phone: (212) 940 8800 Ext:

Alt. Phone: () Ext:

Email: noah.heller@katten.com

Website: katten.com

Plan Contact Information

Type: Employer

Name: Katten Muchin Rosenman LLP

Contact Name: Michael Verde

Street Address: 50 Rockefeller Plaza

City: New York State: New York Zip Code: 10020

Phone: (212) 940 8800 Ext:

Alt. Phone: () Ext:

Email: michael.verde@katten.com

Website:

Plan Contact Information

Type: Employer

Name: Katten Muchin Rosenman LLP

Contact Name: Roger Furey

Street Address: 1919 Pennsylvania Avenue NW

City: Washington State: District of Columbia Zip Code: 20006

Phone: (212) 625 3500 Ext:

Alt. Phone: () Ext:

Email: roger.furey@katten.com

Website: katten.com

Plan Contact Information

Type: Employer

Name: Katten Muchin Rosenman LLP

Contact Name: Michael Jacobson

Street Address: 525 West Monroe Street

City: Chicago State: Illinois Zip Code: 60661
 Phone: (312) 902 5200 Ext:
 Alt. Phone: () Ext:
 Email: michael.jacobson@katten.com
 Website: katten.com

Plan Contact Information

Type: Employer
 Name: Katten Muchin Rosenman LLP
 Contact Name: Derek Ladgenski
 Street Address: 525 West Monroe Street
 City: Chicago State: Illinois Zip Code: 60661
 Phone: (312) 902 5200 Ext:
 Alt. Phone: () Ext:
 Email: derek.ladgenski@katten.com
 Website:

Plan Contact Information

Type: Employer
 Name: Katten Muchin Rosenman LLP
 Contact Name: Kimberly Smith
 Street Address: 525 West Monroe Street
 City: Chicago State: Illinois Zip Code: 60661
 Phone: (312) 902 5200 Ext:
 Alt. Phone: () Ext:
 Email: kimberly.smith@katten.com
 Website: katten.com

Plan Contact Information

Type: Employer
 Name: Katten Muchin Rosenman LLP
 Contact Name: Gil Soffer
 Street Address: 525 Monroe Street
 City: Chicago State: Illinois Zip Code: 60661
 Phone: (312) 902 5200 Ext:
 Alt. Phone: () Ext:
 Email: gil.soffer@katten.com
 Website: katten.com

Plan Contact Information

Type: Employer
 Name: Katten Muchin Rosenman LLP
 Contact Name: Mark Solomon
 Street Address: 2121 North Pearl Street
 City: Dallas State: Texas Zip Code: 75201
 Phone: (214) 765 3600 Ext:
 Alt. Phone: () Ext:
 Email: mark.solomon@katten.com
 Website: katten.com

Plan Contact Information

Type: Employer
 Name: Katten Muchin Rosenman LLP
 Contact Name: Lance Zinman
 Street Address: 525 Monroe Street
 City: Chicago State: Illinois Zip Code: 60661
 Phone: (312) 902 5200 Ext:
 Alt. Phone: () Ext:
 Email: lance.zinman@katten.com
 Website: katten.com

Plan Contact Information

Type: Employer
 Name: Katten Muchin Rosenman LLP
 Contact Name: David Crichlow
 Street Address: 50 Rockefeller Plaza

City: New York State: New York Zip Code: 10020
 Phone: (212) 940 8800 Ext:
 Alt. Phone: () Ext:
 Email: david.crichlow@katten.com
 Website: katten.com

Plan Contact Information

Type: Employer
 Name: Katten Muchin Rosenman LLP
 Contact Name: Ronni Davidowitz
 Street Address: 50 Rockefeller Plaza
 City: New York State: New York Zip Code: 10020
 Phone: (212) 940 8800 Ext:
 Alt. Phone: () Ext:
 Email: ronni.davidowitz@katten.com
 Website:

Plan Contact Information

Type: Employer
 Name: Katten Muchin Rosenman LLP
 Contact Name: Christine Fitzgerald
 Street Address: 2029 Century Park East
 City: Los Angeles State: California Zip Code: 90067
 Phone: (310) 788 4400 Ext:
 Alt. Phone: () Ext:
 Email: christine.fitzgerald@katten.com
 Website: katten.com

Other Information:

Description of Claims 1. Facts. I have been a partner at the 700 lawyer national law firm Katten Muchin Rosenman LLP since 12/6/13. The firm is terminating my three person practice group. It is retaining the other partner for a year until he retires, keeping the associate in the group indefinitely, and discharging me effective 8/4/23. 2. Qualified Plans in which I am a Participant: Katten Muchin Rosenman LLP Cash Balance Plan (for partners only), Katten Muchin Rosenman LLP Defined Contribution Plan (for partners and employees), and Katten Muchin Rosenman LLP Welfare Benefit Plan (for partners and employees). The firm files an annual report for each with the DOL on Form 5500. The Summary Plan Document for each states, "As a participant in the Plan, you are entitled to certain rights and protections under ERISA." 3. Retaliation prohibited by Section 510 of ERISA by discharging me for refusing to resign from the firm and waive my ERISA and other claims. See point 5 below. Section 510 provides that it shall be unlawful for any person to discharge, fine, suspend, expel, discipline, or discriminate against a participant in or beneficiary of a benefit plan for exercising his rights under the plan or for the purpose of interfering with the attainment of any right to which such participant may become entitled. 4. Retaliation prohibited by Section 510 by threatening to withhold, and withholding, \$226,900 in pay for refusing to resign and waive my ERISA claims. 5. Discrimination prohibited by Section 510 by treating me differently from the other partner and associate in my practice group that is being terminated. The firm is keeping the partner until retirement, keeping the associate indefinitely, and discharging me, keeping them participants in the firm's ERISA Plans but ending my ERISA Plan benefits. 6. Breach of Section 404 of ERISA by the firm's CEO and general counsel telling me falsely that I have no rights under ERISA even though I am a participant in all three of my firm's ERISA plans. Section 404 requires that an ERISA fiduciary communicate truthfully and accurately to plan participants about their plan benefits, including a duty not to mislead plan participants in reply to their questions, and a duty even to supply information not requested. 7. Breach of 29 U.S.C. Section 1141 (Coercive or Fraudulent Interference with ERISA Rights). This statute prohibits the use of fraud to coerce or intimidate any plan participant for the purpose of interfering

with or preventing the exercise of any rights to which he is or may become entitled to under the benefit plan. The CEO and general counsel lied to me in writing by saying I had no rights under ERISA to try to induce me to resign from the firm and sign a written waiver of my ERISA rights. They penalized my compensation and had the firm's Executive Committee terminate me because I refused. 8. Breaches of ERISA Sections 102 and 104 by Making Undisclosed Material Amendments to a Plan.. Among other undisclosed amendments, in 2020 the firm amended the Cash Balance Plan to lower the minimum age for distributions to current partners from 62 to 59 . Sections 102 and 104 of ERISA require that the firm provide a summary of any material amendment to a plan to all plan participants no later than 210 days after the end of the year in which the amendment takes effect. The firm failed to provide this notice. 9. Discrimination prohibited by ERISA Section 510 by telling other partners, but not me, they could make a withdrawal under the Cash Balance Plan. The firm's benefits manager Jim Berge told me in writing that once the Cash Balance Plan lowered the minimum age for distributions from 62 to 59 , most partners 59 took distributions. No one told me I could too. 10. ADEA and OWBPA, etc. I also have claims for breaches of the Age Discrimination in Employment Act, the Older Workers Benefit Protection Act, and state law. 11. I plan to upload the emails showing these violations.



U. S. Department of Labor
Employee Benefits Security Administration
Washington, DC 20210

Request for Assistance Form

General Information: The Employee Retirement Income Security Act of 1974 (ERISA) is a federal law that sets minimum standards for retirement and health benefit plans in private industry. ERISA does not require any employer to establish a plan. It only requires that those who establish plans must meet certain minimum standards. ERISA covers retirement, health and other welfare benefit plans (such as life, disability and apprenticeship plans). Among other things, ERISA provides that those individuals who manage plans (and other fiduciaries) must meet certain standards of conduct. ERISA does not cover plans sponsored by the Federal government, or plans sponsored by a State or local governmental plan (such as a public school, a public college or university or a police or fire department). Additionally, Title I of ERISA generally does not cover church plans.

Requests for Assistance or Complaints involving alleged violations of Title I of ERISA are handled by Benefit Advisors in our national and field offices. Those who file complaints with us can expect a prompt and courteous response from our staff. Every complaint received will be pursued and, if determined to be valid, resolution will be sought through informal dispute resolution. You can expect to receive a status report from the assigned benefits advisor every 30 days. If your valid complaint cannot be resolved informally, it may be referred for further review by our enforcement staff. While we cannot ensure that every complaint will result in an investigation, at the conclusion of enforcement activity, if requested, we will furnish an understandable explanation of the outcome of our review and investigation.

Important note: Title I of ERISA provides Participants and Beneficiaries with certain rights to request documents and file claims and appeals related to obtaining benefits. Although EBSA can assist you in understanding these rights and in attempting to informally resolve problems, it is important to review your plan documents and follow procedures for making requests and filing claims and appeals timely.

EBSA 301 June 2011